

Message Text

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ACTION AF-10

INFO OCT-01 EUR-12 IO-13 ISO-00 CIAE-00 DODE-00 PM-05

H-01 INR-07 L-03 NSAE-00 PA-01 PRS-01 SP-02

SS-15 MCT-01 HA-05 NSCE-00 SSO-00 USIE-00 INRE-00

/077 W

-----010146 301923Z /40

R 301600Z NOV 77

FM AMEMBASSY PRETORIA

TO SECSTATE WASHDC IMMEDIATE 9722

INFO AMCONSUL CAPE TOWN

AMCONSUL DURBAN

USMISSION GENEVA

AMCONSUL JOHANNESBURG

AMEMBASSY LONDON

USMISSION USUN NEW YORK

LIMITED OFFICIAL USE PRETORIA 6492

E.O. 11652: N/A

TAGS: PINT, PINS, SHUM, SF

SUBJECT: DEATH OF STEVE BIKO: NOV. 29/30 INQUEST

PROCEEDINGS

REF: PRETORIA 6466

1. AFTERNOON SESSION OF NOV. 29 BIKO INQUEST PROCEEDINGS
CONSISTED OF TESTIMONY BY PROF. IAN SIMSON, PATHOLOGIST
PRESENT AT BIKO AUTOPSY AT REQUEST OF PROF. LOUBSER. SIMSON
INITIALLY MAINTAINED THAT BIKO'S BRAIN INJURIES WERE THE RESULT
OF ONLY ONE APPLICATION OF FORCE TO THE HAD. UNDER QUESTIONING
BY BIKO FAMILY ADVOCATE SIDNEY KENTRIDGE. SIMSON ADMITTED
THERE MAY HAVE BEEN MORE THAN ONE APPLICATION OF FORCE TO
THE SAME POINT OF THE HEAD. REMAINDER OF AFTERNOON WAS
SPENT ON FURTHER ARGUMENT WHETHER TO CALL TWO OF MINISTER
OF JUSTICE JIMMY KRUGER'S SENIOR POLICE OFFICIALS.

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MAGISTRATE PRINS FINALLY RULED AGAINST CALLING THE
OFFICIALS ON THE GROUNDS THAT THEIR STATEMENTS AND A
COPY OF THE TELEX MESSAGE SENT FROM PORT ELIZABETH TO
PRETORIA, BOTH SUBMITTED IN EVIDENCE, DID NOT REVEAL
ANY INCONSISTENCIES.

2. COL. GOSSENS, HEAD OF THE PORT ELIZABETH SECURITY

POLICE, WAS AGAIN CALLED TO THE STAND ON THE MORNING OF NOV. 30. KENTRIDGE POINTED OUT DISCREPANCIES BETWEEN GOSENS' TESTIMONY EARLIER DURING THE INQUEST AND A TELEX HE HAD SENT SEPT. 11 TO PRETORIA. SECURITY POLICE HEADQUARTERS, CONCERNING BIKO'S STATE OF HEALTH, THE NEED TO TAKE HIM TO PRETORIA, AND AN ALLEGED CONFESSION BY BIKO. KENTRIDGE NOTED THAT THE WORD "INFLICTED" (IN AFRIKAANS) WAS USED BY GOSENS IN REFERENCE TO HOW BIKO RECEIVED HIS HEAD INJURY.

3. SECOND WITNESS DURING NOV. 30 MORNING SESSION WAS WARRANT OFFICER HENRY FOUCHE WHO ALLEGEDLY "GUARDED" BIKO IN PORT ELIZABETH SEPT. 6/7 AND ACCOMPANIED HIM TO PRETORIA SEPT. 11. KENTRIDGE CLOSELY QUESTIONED FOUCHE AS TO WHETHER HE WAS REALLY A GUARD OR INTERROGATOR AND ASKED HOW HE COULD POSSIBLY MAINTAIN BIKO WAS FAKING ILLNESS IN LIGHT OF THE FACT THAT FOUCHE WAS ORDERED TO TAKE BIKO ON A NON-STOP 1,000 KILOMETER JOURNEY THROUGH THE NIGHT FOR HOSPITALIZATION. KENTRIDGE'S QUESTIONS WERE DESIGNED TO DEMONSTRATE FOUCHE IN FACT MUST HAVE KNOWN THAT BIKO HAD A HEAD INJURY.

4. FINAL ARGUMENT BEGINS MORNING OF DEC. 1; INQUEST MAY END DEC. 2 OR 5. REGARDLESS OF OUTCOME, BIKO COUNSEL AND FAMILY HAVE INFORMED EMBOFFS AT INQUEST THAT FAMILY WILL INSTITUTE CIVIL SUIT AGAINST POLICE AND LOCAL LIMITED OFFICIAL USE

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DOCTORS INVOLVED.
BOWDLER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DEATHS, COURT PROCEEDINGS
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Sent Date: 30-Nov-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977PRETOR06492
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D770444-0323
Format: TEL
From: PRETORIA
Handling Restrictions: n/a
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Legacy Key: link1977/newtext/t1977113/aaaaacix.tel
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Office: ACTION AF
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 77 PRETORIA 6466
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 09-Feb-2005 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 489487
Secure: OPEN
Status: NATIVE
Subject: DEATH OF STEVE BIKO: NOV. 29/30 INQUEST PROCEEDINGS
TAGS: PINT, PINS, SHUM, SF, (BIKO, STEVE)
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/ed752e14-c288-dd11-92da-001cc4696bcc
Review Markings:
Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
22 May 2009
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009